

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF ILLINOIS**

BEIJING CHOICE ELECTRONIC)	
TECHNOLOGY CO., LTD.,)	
)	
Plaintiff,)	
)	Case No. 18-cv-00825
v.)	
)	Honorable Sara L. Ellis
CONTEC MEDICAL SYSTEMS USA INC. and)	
CONTEC MEDICAL SYSTEMS CO., LTD.,)	Magistrate Judge Maria Valdez
)	
Defendants.)	

**BEIJING CHOICE ELECTRONIC TECHNOLOGY’S COMBINED
MOTION FOR LEAVE TO FILE MEMORANDUM OVER FIFTEEN PAGES AND
MOTION FOR LEAVE TO FILE MEMORANDUM AND EXHIBITS UNDER SEAL**

Plaintiff Beijing Choice Electronic Technology Co., Ltd. (“Choice”) respectfully requests, pursuant to local rules 7.1, 5.8, and 26.2, leave to file the attached 33-page memorandum in support of its motion for preliminary injunction and for leave to file the unredacted version of the attached memorandum under seal.

I. MOTION FOR LEAVE TO FILE MEMORANDUM OVER FIFTEEN PAGES

1. Choice has provisionally filed¹ redacted (public) and unredacted versions of the Memorandum in Support of Its Motion for Preliminary Injunction (each 33 pages).

2. To obtain a preliminary injunction, Choice must establish four factors. Choice submits that to satisfy this requirement, it needs more than fifteen pages of briefing.

3. For example, exemplary claim charts that show Defendants Contec Medical Systems USA Inc.’s and Contec Medical Systems Co., Ltd.’s infringement of U.S. Patent No. 8,639,308 (a showing necessary to the first factor, the likelihood of success on the merits) constitute more than ten pages of the memorandum.

4. Choice therefore requests, pursuant to Local Rule 7.1, that the Court grant it leave to file the attached 33-page memorandum.

II. MOTION FOR LEAVE TO FILE MEMORANDUM AND EXHIBITS UNDER SEAL

5. Choice has provisionally filed under seal unredacted versions of the Memorandum in Support of Its Motion for Preliminary Injunction and its Exhibit B (Tang Declaration), including Appendix 1 to Exhibit B (sales, pricing, and revenue data), Exhibit H

¹ Choice has provisionally filed this Memorandum for the Court to evaluate its Motion to File Memorandum and Certain Exhibits Under Seal. Local Rule 26.2(c) requires the simultaneous filing of the document sought to be filed under seal and the public version of the same.

(email between Choice and its distributor), Exhibit K (Song Declaration), and Exhibit O (Zhan Declaration).

6. The above items contain highly confidential business information on Choice's sales, pricing, and revenue, Choice's production capacity, Choice's negotiations with its distributors, and Tianjin Chase Sun Pharmaceutical Co., Ltd.'s acquisition of Choice.

7. **Pursuant to Local Rules 5.8 and 26.2**, Choice therefore seeks leave of the Court to file under seal its Memorandum in Support of Its Motion for Preliminary Injunction, Exhibit B (Tang Declaration), including Appendix 1 to Exhibit B (sales, pricing, and revenue data), Exhibit H (email between Choice and its distributor), Exhibit K (Song Declaration), and Exhibit O (Zhan Declaration).

8. In addition, Choice respectfully seeks leave of the Court to not file redacted (public) versions of Exhibit B, including Appendix 1 to Exhibit B, Exhibit H, Exhibit K, and Exhibit O because in each of these documents, the majority or entirety of its contents constitutes the above highly confidential business information.

Respectfully submitted,

Dated: February 1, 2018

/s/ Steven P. Mandell
Steven P. Mandell
Stephen J. Rosenfeld
MANDELL MENKES LLC
One North Franklin Street, Suite 3600
Chicago, IL 60606
Phone: (312) 251-1001
smandell@mandellmenkes.com

Kathleen A. Daley (*pro hac vice* pending)
FINNEGAN, HENDERSON, FARABOW,
GARRETT & DUNNER, LLP

901 New York Avenue NW
Washington, DC 20001
Phone: (202) 408-4000
Fax: (202) 408-4400
kathleen.daley@finnegan.com

Michael Liu Su (*pro hac vice* pending)
FINNEGAN, HENDERSON, FARABOW,
GARRETT & DUNNER, LLP
3300 Hillview Avenue, Second Floor
Palo Alto, CA 94304
Phone: (650) 849-6600
Fax: (650) 849-6666
michael.liu.su@finnegan.com

*ATTORNEYS FOR PLAINTIFF
BEIJING CHOICE ELECTRONIC
TECHNOLOGY CO., LTD.*

CERTIFICATE OF SERVICE

The undersigned hereby certifies that a true and correct copy of the above and foregoing document has been served on February 1, 2018 by U.S. mail and Federal Express to:

CONTEC MEDICAL SYSTEMS USA INC. CONTEC MEDICAL SYSTEMS CO., LTD.

111 Wheeling Rd, Wheeling, IL 60090

111 Wheeling Rd, Wheeling, IL 60090

and

and

1440 Chase Ave, Elk Grove Village, IL 60007

1440 Chase Ave, Elk Grove Village, IL 60007

/s/ Steven P. Mandell

Steven P. Mandell

Stephen J. Rosenfeld

MANDELL MENKES LLC

ATTORNEY FOR PLAINTIFF

BEIJING CHOICE ELECTRONIC

TECHNOLOGY CO., LTD.